

REMARKS

These Remarks are in reply to the final Office Action mailed March 4, 2009. Claims 1-40 were pending in the Application prior to the outstanding Office Action. The Examiner is thanked for extending the courtesy of a telephonic interview. During the interview, the Examiner and Applicants discussed the Riecken and Nelson references and a number of proposed amendments. The Examiner is thanked for his helpful suggestions.

Claims 1, 24-26, 30-31, 34 and 38-40 are amended. Support for the amendment of Claims 1, 24-26, 30-31, 34 and 38-40 can be found in the application as filed at least at paragraphs [0040]-[0043], original dependent claims 9 and 18 and Figures 3-10, 12 and 13. Claim 18 is cancelled. Applicants reserve the right to prosecute cancelled claims in a divisional or continuation application. New Claim 41 is added. Claims 1-17 and 19-41 remain for the Examiner's consideration. Reconsideration and withdrawal of the rejections are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-13 and 15-40 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Riecken, "Adaptive Direct Manipulation" (hereinafter "Riecken") in view of Nelson (U.S. Pub. No. 2004/0008635, hereinafter "Nelson").

Claim 1

Amended Claim 1 includes the limitations 'monitoring user behavior while interacting with a first representation of digital content, wherein the user behavior includes interacting with a first display interaction area and at least a second display interaction area' and 'determining interaction information from the user behavior, wherein the interaction information identifies the first display interaction area and at least the second display interaction area from the user behavior with the first representation of digital content and an order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected'.

The Applicants submit that neither Riecken nor Nelson teach or suggest the two limitations ‘monitoring user behavior while interacting with a first representation of digital content, wherein the user behavior includes interacting with a first display interaction area and at least a second display interaction area’ and ‘determining interaction information from the user behavior, wherein the interaction information identifies the first display interaction area and at least the second display interaction area from the user behavior with the first representation of digital content and an order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected’ of amended Claim 1. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 1 was not obvious at the time the invention was made.

Claim 24

Amended Claim 24 includes the limitations ‘monitoring user behavior while interacting with a first representation of digital content on a first device, wherein user behavior includes how often or how many times a first display interaction area and at least a second display interaction area are interacted with or in what order a user interacts with the first display interaction area and at least the second display interaction area’ and ‘determining interaction information from the user behavior, wherein the interaction information identifies the first display interaction area and at least the second display interaction area from the user interaction with the first representation of digital content and an order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected’.

The Applicants submit that neither Riecken nor Nelson teach or suggest the above two limitations of amended Claim 24. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 24 was not obvious at the time the invention was made.

Claim 25

Claim 25 includes the limitations ‘monitoring user interaction with at least one of the first representation and the second representation, wherein the user interaction includes identifying a

first display interaction area and at least a second display interaction area from the user interaction with the first representation of digital content and a first display interaction area and at least a second display interaction area from the user interaction with the second representation of digital content' and 'determining interaction information from the user interaction, wherein the interaction information including an identification of at least the first display interaction area and the second display interaction area of the first representation or the second representation'. The Applicants submit that neither Riecken nor Nelson teach or suggest these limitations of amended Claim 25. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 25 was not obvious at the time the invention was made.

Claim 26

Amended Claim 26 includes the limitation 'identifying a first display interaction area and at least a second display interaction area of a representation of digital content determined to be of interest using observed user interaction which includes evaluating an order in which the first display interaction area and at least the second display interaction area of the representation of digital content are selected and how often or how many times the first display interaction area and at least the second display interaction area are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation of amended Claim 26. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 26 was not obvious at the time the invention was made.

Claim 30

Amended Claim 30 includes the limitations 'monitoring user behavior while interacting with a first representation of digital content, wherein the user behavior includes how often or how many times a first display interaction area and at least a second display interaction area are interacted with and at least an order a user interacts with the first display interaction area and at least the second display interaction area' and 'determining interaction information from the user behavior, wherein the interaction information includes identifying the first display interaction area and at least the second display interaction area from the user behavior with the first

representation of digital content and the order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest these two limitations of amended Claim 30. As such, Riecken and Nelson do not teach or suggest using all limitations of the claim. MPEP 2143.03. Accordingly, Claim 30 was not obvious at the time the invention was made.

Claim 31

Amended Claim 31 includes the limitation 'retrieving interaction information, wherein the interaction information identifies a first display interaction area and at least a second display interaction area from the user interaction with the digital content and an order in which the first display interaction area and at least the second display interaction area of the digital content are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation of amended Claim 31. As such, Riecken and Nelson do not teach or suggest using all limitations of the claim. MPEP 2143.03. Accordingly, Claim 31 was not obvious at the time the invention was made.

Claim 34

Amended Claim 34 includes the limitation 'retrieving interaction information, wherein the interaction information identifies a first display interaction area and at least a second display interaction area from the user interaction with the digital content, wherein the interaction information identifies degrees of interaction with the first display interaction area and at least the second display interaction area and sequences of interaction with the first display interaction area and at least the second display interaction area of the digital content'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation of amended Claim 34. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 34 was not obvious at the time the invention was made.

Claim 38

Amended Claim 38 includes the limitation 'a code segment including instructions to determine interaction information from the user behavior, wherein the interaction information identifies a first display interaction area and at least a second display interaction area from the user interaction with the digital content, wherein the interaction information includes how often or how many times a first display interaction area and at least a second display interaction area are selected and an order in which the first display interaction area and at least the second display interaction area are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation of amended Claim 38. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 38 was not obvious at the time the invention was made.

Claim 39

Amended Claim 39 includes the limitation 'determine interaction information from the user behavior, wherein the interaction information identifies a first display interaction area and at least a second display interaction area from the user interaction with the first representation of digital content and an order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation of amended Claim 39. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 39 was not obvious at the time the invention was made.

Claim 40

Amended Claim 40 includes the limitation 'means for determining interaction information from the user behavior, wherein the interaction information identifies a first display interaction area and at least a second display interaction area from the user interaction with the first representation of digital content and an order in which the first display interaction area and at least the second display interaction area of the first representation of digital content are selected'. The Applicants submit that neither Riecken nor Nelson teach or suggest this limitation

of amended Claim 40. As such, Riecken and Nelson do not teach or suggest all limitations of the claim. MPEP 2143.03. Accordingly, Claim 40 was not obvious at the time the invention was made.

Claims 2-13, 15-17, 19-23, 27-29, 32, 33 and 35-37 all directly or indirectly depend from independent Claims 1, 26, 31 and 34 and are therefore believed patentable for at least the same reasons as the independent Claims 1, 26, 31 and 34 and because of the additional limitations of these claims.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejections.

CONCLUSION

In light of the above, it is respectfully requested that all outstanding rejections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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